



February 18, 2005

# SENATE BILL No. 245

DIGEST OF SB 245 (Updated February 15, 2005 6:06 pm - DI 106)

**Citations Affected:** IC 35-47.

**Synopsis:** Handgun licenses. Prohibits a person who: (1) is prohibited by court order from possessing a handgun; or (2) has been convicted of a crime of domestic violence (unless a court has restored the person's right to possess a firearm); from obtaining a license to carry a handgun.

**Effective:** July 1, 2005.

**Long**

January 6, 2005, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.  
February 17, 2005, reported favorably — Do Pass.

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February 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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## SENATE BILL No. 245



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 35-47-1-7 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. "Proper person"
- 3 means a person who: ~~does not~~:
- 4 (1) **does not** have a conviction for resisting law enforcement
- 5 under IC 35-44-3-3 within five (5) years before the person applies
- 6 for a license or permit under this chapter;
- 7 (2) **does not** have a conviction for a crime for which ~~he~~ **the**
- 8 **person** could have been sentenced for more than one (1) year;
- 9 (3) **does not have a conviction for a crime of domestic violence**
- 10 **(as defined in IC 35-41-1-6.3), unless a court has restored the**
- 11 **person's right to possess a firearm under IC 3-7-13-5;**
- 12 (4) **is not prohibited by a court order from possessing a**
- 13 **handgun;**
- 14 (3) (5) **does not** have a record of being an alcohol or drug abuser
- 15 as defined in this chapter;
- 16 (4) (6) **does not** have documented evidence which would give rise
- 17 to a reasonable belief that ~~he~~ **the person** has a propensity for

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1 violent or emotionally unstable conduct;  
2 ~~(5)~~ **(7) does not** make a false statement of material fact on ~~his~~ **the**  
3 **person's** application;  
4 ~~(6)~~ **(8) does not** have a conviction for any crime involving an  
5 inability to safely handle a handgun;  
6 ~~(7)~~ **(9) does not** have a conviction for violation of the provisions  
7 of this article within five (5) years of ~~his~~ **the person's** application;  
8 or  
9 ~~(8)~~ **(10) does not** have an adjudication as a delinquent child for  
10 an act that would be a felony if committed by an adult, if the  
11 person applying for a license or permit under this chapter is less  
12 than twenty-three (23) years of age.

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COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 245, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 245 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 7, Nays 2.

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